

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION**

UNITED STATES OF AMERICA,

CR 10-29-M-DWM

Plaintiff,

vs.

**FINDINGS AND RECOMMENDATION
CONCERNING PLEA**

ROBERT ERNEST PEEPLES, JR.,

Defendant.

The Defendant, by consent, has appeared before the undersigned pursuant to Fed. R. Crim. P. 11 and has entered a plea of guilty to the charge of Receipt of Child Pornography in violation of 18 U.S.C. § 2252A(a)(2), as set forth in the Indictment. Defendant has agreed to the forfeiture allegations advanced under 18 U.S.C. § 2253(a)(3). After examining the Defendant under oath, I have made the following determinations:

1. That the Defendant is fully competent and capable of entering an informed and voluntary plea,

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By PATRICK E. DUFFY, CLERK
DEPUTY CLERK, MISSOULA

2. That the Defendant is aware of the nature of the charge against him and consequences of pleading guilty to the charge,

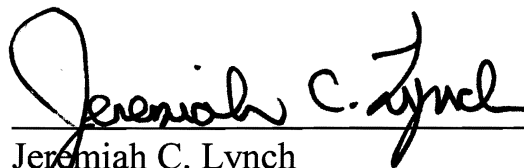
3. That the Defendant fully understands his constitutional rights, and the extent to which he is waiving those rights, by pleading guilty, and,

4. That the plea of guilty is a knowing and voluntary plea, supported by an independent basis in fact sufficient to prove each of the essential elements of the offense charged.

Therefore, I recommend that the Defendant be adjudged guilty of the charge set forth in the Indictment and that sentence be imposed. A presentence report has been ordered.

This report is forwarded with the recommendation that the Court defer a decision regarding acceptance until the Court has reviewed the presentence report.

DATED this 1st day of March, 2011.

A handwritten signature in black ink, reading "Jeremiah C. Lynch". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Jeremiah C. Lynch
United States Magistrate Judge